

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 12-CR-124

ZACHARY ROYSTER,

Defendant.

**ORDER DENYING MOTION FOR RECONSIDERATION AND
TO MODIFY SENTENCE**

Defendant has filed a motion asking the court to reconsider his sentence. The court imposed a significantly under-guideline sentence of four months in the custody of the Bureau of Prisons revoking his supervised release. The Revocation Report from Probation indicated at the time that the defendant would receive 72 days credit toward his federal sentence. In fact, because most of the time in custody was due to state charges, he received only 30 days credit towards his federal sentence. Defendant contends that the court believed he would receive 72 days credit at the time of his sentencing and, therefore, should reduce his sentence accordingly.

The motion is denied. Four months is a reasonable sentence. In fact, one would argue a lenient sentence for the violations committed by the defendant. The fact that he did not receive credit because of his separate and independent state charges does not warrant a reduction of his federal sentence. Accordingly, the motion is denied.

SO ORDERED at Green Bay, Wisconsin this 17th day of September, 2020.

s/ William C. Griesbach
William C. Griesbach
United States District Judge